

House Bill 1662 (AS PASSED HOUSE AND SENATE)

By: Representatives Burns of the 157th and Carter of the 159th

A BILL TO BE ENTITLED

AN ACT

To provide for an advisory referendum regarding whether Effingham County should adopt a chairperson of the board of commissioners who is elected by the entire county; to provide for an advisory referendum regarding whether Effingham County should establish a board of elections; to provide for ballot questions; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

(a) It is the purpose of this Act to provide for a nonbinding, advisory referendum for the purpose of ascertaining whether Effingham County should allow for the election of a chairperson for the board of commissioners who is elected county wide and whether the county should establish a board of elections.

(b) It is found, determined, and declared that the holding of the nonbinding, advisory referendum provided for in this Act is:

(1) In all respects for the benefit of the people of Effingham County;

(2) A public purpose; and

(3) An essential governmental function for which public funds may be expended.

(c) Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Effingham County shall call a special election for the purpose of conducting a nonbinding, advisory referendum election as provided in Section 3 of this Act for the purpose of submitting questions to the qualified voters of Effingham County to determine whether a majority of said electors want the General Assembly to enact legislation adopting a chairperson of the board of commissioners who is elected county wide and creating an Effingham County board of elections. The superintendent shall set the date of such election for the 2006 state-wide general primary. The superintendent shall issue the call for such election at least 30 days prior to the date thereof. The superintendent shall cause the

1 date and purpose of the election to be published once a week for two weeks immediately
2 preceding the date thereof in the official organ of Effingham County. The ballot shall have
3 written or printed thereon the words:

4 "NONBINDING ADVISORY REFERENDUM

5 CHECK ONE

QUESTION 1

6 () YES

Should there be a chairperson of the Effingham County

7 () NO

board of commissioners elected county wide?

8 CHECK ONE

QUESTION 2

9 () YES

Should there be created an Effingham County board of

10 () NO

elections to administer the county elections?"

11 All persons desiring to express an opinion shall select one choice on the left of each of the
12 ballot questions. The expense of such election shall be borne by Effingham County. It shall
13 be the election superintendent's duty to certify the result thereof to the Secretary of State and
14 each member of the General Assembly whose senatorial or representative district lies wholly
15 or partially within Effingham County.

16 **SECTION 2.**

17 This Act shall become effective upon its approval by the Governor or upon its becoming law
18 without such approval.

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.